

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:15-00205

LEON WILSON, JR.

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On March 21, 2019, the United States of America appeared by Christopher R. Arthur, Assistant United States Attorney, and the defendant, Leon Wilson, Jr., appeared in person and by his counsel, Philip B. Sword, for a hearing on the petition seeking revocation of supervised release and amendment thereto submitted by United States Probation Officer Douglas W. Smith. The defendant commenced a 42-month term of supervised release in this action on January 2, 2019, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on December 12, 2018.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to abide by the special condition that he complete six months in a community confinement center inasmuch as he entered the Dismas Charities program on January 29, 2019, and was discharged from the program after leaving without permission on January 31, 2019; and (2) the defendant used and possessed controlled substances as evidenced by a positive urine specimen submitted by him on February 5, 2019, for methamphetamine, the defendant having admitted to the probation officer that he nasally ingested a line of methamphetamine on February 3, 2019; and a positive urine specimen submitted by him on February 19, 2019, for marijuana, the defendant having admitted to the probation officer that he used marijuana on February 9, 2019; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate

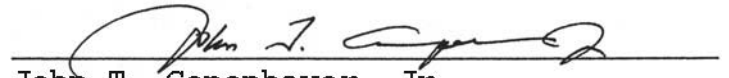
the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of thirty-six (36) months of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B), the standard conditions as set forth in Local Rule 32.3 and the special conditions that he participate in drug abuse counseling and treatment, including group and individual therapy, as directed by the probation officer, and that he submit to frequent, random urine screens as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: March 22, 2019


John T. Copenhaver, Jr.
Senior United States District Judge